In the High Court of Punjab and Haryana at Chandigarh.

Regular Second Appeal No.3222 of 2002.

Date of decision:16.10.2006.

Achhar Ram and others.

...Appellants.

Versus

Rakha Ram and others.

...Respondents.

...

Coram: Hon'ble Mr. Justice S.N. Aggarwal.

...

Present: Mr.Sandeep Bansal Advocate for the appellants.

Mr.K.D. Dadwal Advocate for the respondents.

...

Judgment.

S.N.Aggarwal,J.

The appellants filed a suit for possession of the land marked ABCD forming part of Khasra No.12/1. It was pleaded that this land belong to the appellants while respondent No.1 Rakha Ram had allegedly encroached upon it.

The suit was contested by respondent No.1.

Issues were framed.

The parties led the evidence.

The learned trial Court dismissed the suit of the plaintiffs-

appellants vide judgment and decree dated 5.9.2000.

An appeal was filed by the appellants. The learned Lower Appellate Court up-held the finding of fact recorded by the learned trial Court and dismissed the appeal vide judgment and decree dated 9.5.2002.

Hence, this appeal.

The submission of learned counsel for the appellants was that both the Courts have failed to appreciate the evidence properly. Hence,it was prayed that the impugned judgments and decrees passed by the Courts below be set aside and the appeal be accepted.

This submission has been considered. Both the Courts below have appreciated the evidence and have reached the conclusion that the respondents have not made any encroachment. The concurrent findings of fact have been recorded and this Court finds no circumstance to disturb the said findings of fact recorded by the Courts below.

No substantial question arises in this appeal.

No merit.

Dismissed.

October 16,2006. (S. N. Aggarwal)
Jaggi Judge